

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WOODS VIEW II, LLC a Washington  
limited liability company; DARLENE A.  
PIPER, a single woman,

Plaintiffs,

v.

KITSAP COUNTY, a Washington  
municipality; LARRY M. KEETON, and  
JANE DOE KEETON, husband and wife, and  
the marital community comprised thereof;  
CHRIS GEARS and JANE DOE GEARS,  
husband and wife, and the marital community  
comprised thereof; and SHELLEY KNEIP  
and JOHN DOE KNEIP, a wife and husband,  
and the marital community comprised  
thereof,

Defendants.

CASE NO. C10-05114 JRC

ORDER GRANTING CONTINUANCE  
AND PAGE LIMIT EXTENSIONS

Defendants filed a Motion for Summary Judgment (ECF No. 24), which was noted for hearing on April 1, 2011. Plaintiffs filed a Motion for Continuance of the Motion for Summary Judgment (ECF No. 27), also noted on April 1, 2011. After reviewing the pleadings, the court conducted an informal status conference on March 31, 2011.

After reviewing the motion and the responsive pleadings, and after hearing from each of the parties, it is clear that at least some, if not all, of the issues raised in Defendants' Motion for

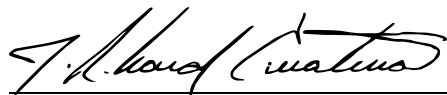
1 Summary Judgment do not require additional discovery. Some issues may, but a review of  
2 Plaintiffs' responsive pleadings do not clearly show which issues those may be.

3 While Fed. R. Civ. P. 56(d) allows for a continuance in order to conduct discovery, the  
4 Plaintiffs must make clear what information it sought and how it would preclude summary  
5 judgment. See Margolis v. Ryan, 140 F.3d 850, 853 (9th Cir. 1990). So far, Plaintiffs have not  
6 done so.

7  
8 Nevertheless, all parties are entitled to have their cases decided on the merits. Therefore,  
9 this court will grant Plaintiffs' Motion for Continuance. Defendants' Motion for Summary  
10 Judgment will be renoted for April 22, 2011. Pursuant to Plaintiffs' request, Plaintiffs will file a  
11 new responsive brief with an extended page limit of thirty (30) pages. If Plaintiffs assert Rule  
12 56(d) as grounds for a further continuance, Plaintiffs must specify what information is sought  
13 and how it would preclude summary judgment regarding each of Defendants' claimed grounds.  
14

15 Defendants' reply brief shall be no longer than twelve (12) pages and will be due on  
16 April 22, 2011.

17 DATED this 1st day of April, 2011.

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20 J. Richard Creatura  
21 United States Magistrate Judge  
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